

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ANTHONY TRUPIA,)	
)	
Plaintiff,)	
)	
-vs-)	NO. CIV-25-0391-HE
)	
JOHN ROBERTS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On April 15, 2025, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation, recommending plaintiff's Application to Proceed in District Court Without Prepaying Fee or Costs be denied and this action be dismissed without prejudice to refiling unless plaintiff pays the \$405.00 filing fee in full to the court clerk within twenty (20) days of any order adopting the Report and Recommendation.

Magistrate Judge Erwin advised plaintiff of his right to file an objection to the Report and Recommendation by May 2, 2025, and further advised him of the consequences for failure to file a timely objection. To date, plaintiff has not filed an objection nor sought additional time to file one. Plaintiff therefore have waived the right to appellate review of both factual and legal questions addressed in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #3]. Plaintiff's Application to Proceed in District Court Without Prepaying Fee or Costs [Doc.

#2] is **DENIED**. Unless plaintiff pays the \$405.00 filing fee in full to the court clerk within **twenty (20) days** of this order, this action will be dismissed without prejudice to refiling.

IT IS SO ORDERED.

Dated this 6th day of May, 2025.



JOE HEATON
UNITED STATES DISTRICT JUDGE